

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

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IRVING KARL BIGELOW,  
Plaintiff,  
vs.  
SOCIAL SECURITY ADMINISTRATION,  
et al.,  
Defendants.

**REPORT & RECOMMENDATION**

Case No: 2:08 CV 626 DB

District Judge Dee Benson

Magistrate Judge David Nuffer

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Plaintiff Irving Karl Bigelow filed suit under [42 U.S.C. § 1983](#) Shepardize against the Social Security Administration and others.<sup>1</sup> The case was referred to the magistrate judge under [28 U.S.C. § 636\(b\)\(1\)\(B\)](#) Shepardize.

Bigelow has moved for a temporary restraining order.<sup>2</sup> He seeks to restrain the “state of Utah courts immediately. Barring court action . . . until such time as this civil matter is culminated.”<sup>3</sup> His motion is not supported by any of the documents the rules require for the relief requested<sup>4</sup> and “the normal thing to do when federal courts are asked to enjoin pending proceedings in state courts is not to issue such injunctions.”<sup>5</sup>

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<sup>1</sup> Docket no. [3](#), filed August 19, 2008.

<sup>2</sup> Docket no. [10](#), filed September 8, 2008.

<sup>3</sup> *Id.* at 1.

<sup>4</sup> [Fed. R. Civ. P. 65](#). Shepardize

<sup>5</sup> *Younger v. Harris*, [401 U.S. 37](#), [45](#) Shepardize (1971).

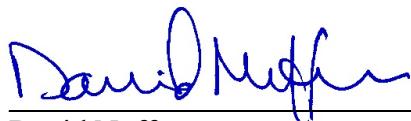
## **RECOMMENDATION**

The motion for temporary restraining order should be denied.

Copies of this Report and Recommendation are being mailed to the parties, who are hereby notified that they have the right to object to the Report and Recommendation. The parties are further notified that they must file any objections to the Report and Recommendation with the clerk of the district court, pursuant to [28 U.S.C. § 636\(b\)](#) Shepardize, within ten (10) days after receiving it. Failure to file objections may constitute a waiver of those objections on subsequent appellate review.

September 8, 2008.

BY THE COURT:



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David Nuffer  
U.S. Magistrate Judge